



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,732	01/11/2001	Gerald F. McBrearty	AUS9-2000-0598-US1	8453

7590

04/09/2003

Edmond A. DeFrank  
20145 Via Medici  
Northridge, CA 91326

EXAMINER

NGUYEN, JENNIFER T

ART UNIT	PAPER NUMBER
----------	--------------

2674

5

DATE MAILED: 04/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/758,732

Applicant(s)

MCBREARTY ET AL.

Examiner

Jennifer T Nguyen

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 January 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 and 18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### DETAILED ACTION

1. This office action is responsive to amendment filed on 1/21/2003.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels (U.S. Patent No. 6,373,500) in view of Jakobs et al. (U.S. Patent No. 5,892,509).

Regarding claims 1, 10 and 18, referring to Fig. 6, Daniels teaches a method operating plural computers displayed on a display device (30) having a first window (36) that displays information from a main computer (10) and a second window (37) that displays information from a remote computer (20), comprising: controlling data from the main computer (10) and the remote computer (20) with an input device (50) associated with one of the computers (col. 1, lines 8-35, col. 6, lines 58-67).

Daniels differs from claims 1, 10 and 18 in that he does not specifically teach manipulating and sharing data between the main computer and the remote computer through a common memory buffer. However, referring to Fig. 5, Jakobs discloses manipulating and sharing data between the main computer (52A) and the remote computer (52B) through a common memory buffer (64A, 64B) (col. 13, line 45 to col. 14, line 24). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the manipulating and sharing data between the main computer and the remote

Art Unit: 2674

computer through a common memory buffer as taught by Jakobs in the system of Daniels in orders to simplify the circuits, avoid user to manually move between the input devices of separate computers.

Regarding claim 2, Daniels further teaches the input device controls a cursor on the display device to control and manipulate displayed information (col. 5, lines 44-49).

Regarding claim 3, Daniels further teaches the main computer (10) and the remote computer (20) are connected by a network (300) (i.e., switch box).

Regarding claim 4, Daniels further teaches the display device (30) is a picture within a picture display device and the first window (36) is a main window and the second window (37) is a picture within a picture window (Figs. 1 and 6, col. 4, lines 49-50).

Regarding claim 5, Daniels further teaches the cursor is located in the second window (37) and a movement signal from the input device (50) is sent from the remote computer (20) to the second window (37) (col. 5, lines 8-15 and lines 33-49).

Regarding claim 6, Daniels further teaches sending the movement signal further comprises transmitting the movement signal over a network (300) connecting the main computer (10) and the remote computer (20) (col. 5, lines 8-28).

Regarding claim 7, referring to Fig. 7a, Daniels further teaches a user can use the input device (50) to move the cursor between the first window (36) and the second window (37) (col. 5, lines 44-49).

Regarding claims 8, 9 and 17, the combination of Daniels and Jacobs differs from claims 8, 9, and 17 in that it does not specifically teach a common memory buffer within the picture within a picture control module wherein information displayed on the display device may be cut

Art Unit: 2674

and pasted between the first window and the second window. However, it would have been obvious to obtain a common memory buffer within the picture within a picture control module wherein information displayed on the display device may be cut and pasted between the first window and the second window in order to save of buffer capacity and reduce the load of data transfer operation when using two separate buffers.

Regarding claim 11, Daniels further teaches determining in which window the cursor is located (col. 5, lines 8-60).

Regarding claim 12, Daniels further teaches sending a movement signal from the input device to the window where the cursor is located (col. 5, lines 8-60).

Regarding claim 13, referring to Figs. 6 and 7a, Daniels teaches a picture within a picture control system for controlling data across and between two computers that are displayed on a picture within a picture display device, comprising: a first computer (10) having an input device (50) and connected to the picture within a picture display device (30); a second computer (20) and connected to the picture within a picture display device (30); a first window (36) on the picture within a picture display device (30) for displaying data from the first computer (10); a second window (37) on the picture within a picture display device (30) for displaying data from the second computer (37); and a picture within a picture control module (310) residing on the first (10) and the second computer (20) that allows the input device (50) to move the cursor within the first window (36) and the second window (37) (col. 1, lines 8-35, col. 6, lines 58-67).

Daniels differs from claim 13 in that he does not specifically teach manipulating and sharing data between the main computer and the remote computer through a common memory buffer. However, referring to Fig. 5, Jakobs discloses manipulating and sharing data between the

Art Unit: 2674

main computer (52A) and the remote computer (52B) through a common memory buffer (64A, 64B) (col. 13, line 45 to col. 14, line 24). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the manipulating and sharing data between the main computer and the remote computer through a common memory buffer as taught by Jakobs in the system of Daniels in order to simplify the circuits, avoid user to manually move between the input devices of separate computers.

Regarding claims 14 and 15, Daniels further teaches the picture within a picture control module (310) on the first computer (10) sends a movement signal from the input device (50) to the first window (36) when the cursor is located in the first window (36) and sends a movement signal from the input device (50) to the second window (37) when the cursor is located in the second window (37) (Figs. 6 and 7a, b, col. 5, lines 33-60).

Regarding claim 16, Daniels further teaches comprising a network (300) allowing communication between the first computer (10) and the second computer (20) and wherein the movement signal is sent over the network (300) (Fig. 6).

4. Applicant's arguments with respect to claims 1-16 and 18 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jennifer T. Nguyen** whose telephone number is **703-305-3225**. The examiner can normally be reached on Mon-Fri from 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reach at **703-305-4709**.

Art Unit: 2674

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, DC. 20231

**Or faxed to: 703-872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA, sixth-floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the Technology Center 2600 Customer Service Office whose telephone  
number is 703-306-0377.

Jennifer T. Nguyen  
Patent examiner  
Art Unit 2674



RICHARD HJERPE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600